

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SADE COKER,

Plaintiff,

-against-

GOLDBERG & ASSOCIATES P.C. and
JULIE GOLDBERG,

Defendants.

Case No. 21-cv-01803 (JLR)

ORDER

JENNIFER L. ROCHON, United States District Judge:

On November 14, 2022, the Court ordered Defendant Julie Goldberg to sit for a deposition on December 7, 2022, unless Defendants provided written substantiation from a medical professional regarding the medical leave and Ms. Goldberg's inability to be deposed on December 7, 2022, and an explanation for the failure to advise the Court and Plaintiff's counsel as to the Defendant's upcoming medical leave. On November 17, 2022, Defendants filed a letter indicating that they had not alerted the Court to their client's medical condition earlier as they were previously unaware it would affect this litigation. ECF No. 56. Defendants also attached a letter from Katherine M. Zagone, ND, providing her professional recommendation that Ms. Goldberg take medical leave from November 28, 2022 until January 29, 2023. *Id.* On November 18, 2022, Plaintiff filed a letter opposing Defendants' request to stay discovery, taking issue with Katherine Zagone's credentials given that she purports to be a "Licensed Naturopathic Doctor" whose title is "Medical Director, Sexual Wellness Expert," and is not listed under a "license search of physicians" on the California Department of Consumer Affairs website. ECF No. 57.


At this juncture, and absent evidence to the contrary, the Court assumes that Defendants have complied with their obligations under Federal Rule of Civil Procedure 11 and are not requesting this stay in order to cause unnecessary delay in these proceedings. Similarly, the Court will not parse the nature of Katherine Zagone's degree or credentials at this point. Therefore, Defendants' request for a stay of Ms. Goldberg's deposition until after January 29, 2023, and to adjourn the associated discovery deadline is GRANTED. However, the Court is unlikely to grant any further extensions.

IT IS HEREBY ORDERED that Ms. Goldberg shall sit for a deposition on **February 6, 2023**. The deposition of Plaintiff shall proceed as previously scheduled.

In light of the foregoing, the post-discovery pretrial conference previously scheduled for December 15, 2022 is adjourned to **March 6, 2023**, at 11:00 a.m. in Courtroom 20B of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, 10007.

Dated: November 21, 2022
New York, New York

SO ORDERED.


JENNIFER L. ROCHON
United States District Judge